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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/815,395	04/01/2004	Marcus Braun	04265398

David M. Thimmig  
MAYER, BROWN, ROWE & MAW LLP  
P.O. Box 2828  
Chicago, IL 60690-2828



CONFIRMATION NO. 7589  
FORMALITIES LETTER



Date Mailed: 06/18/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

08/20/2004 BABRAHA1 00000077 10815395

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*A copy of this notice **MUST** be returned with the reply.*

*Segevrein*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT**  
**ATTORNEY DOCKET NO. 04265398**

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: application of:

Marcus Braun

Serial No.: 10/815,395

Filing Date: April 1, 2004

For: SURGICAL INSTRUMENT

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Group Art Unit: 3731

) Examiner: UNKNOWN

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"EXPRESS MAIL" mailing label no. EV 113358854 US  
Date of Deposit: August 18, 2004

I hereby certify that this paper or fee is being deposited with the  
United States Postal Service "Express Mail Post Office to  
Addressee" under 37 CFR 1.10 on the date indicated above and is  
addressed to: Mail Stop: Missing Parts, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450

By: Timothy Hubalik

  
Signature of Person Mailing Papers

**TRANSMITTAL LETTER**

Dear Sir:


Transmitted herewith for the above-captioned patent application are:

1. Response To Notice To File Missing Parts Of Nonprovisional Application Filed Under 37 CFR 1.53(b) Filing Date Granted;
2. Return copy of original Notice To File Missing Parts Of Nonprovisional Application Filed Under 37 CFR 1.53(b) Filing Date Granted;
3. Executed Declaration and Power of Attorney;
4. Check in the amount of \$130.00 for the surcharge for filing the Declaration on a date later than the filing date of the application, as set forth in 37 C.F.R. 1.16(e); and
5. An Information Disclosure Statement with a PTO Form 1449, the references cited therein, and two Abstracts for the foreign references.

6. Postcard acknowledging receipt of same.

If there are any additional fees due in connection with the filing of this Response, please charge the fees to our Deposit Account No. 13-0019.

Respectfully submitted,

By   
David M. Thimmig  
Attorney Reg. No. 36,034

Dated: August 18, 2004

Customer No. 26565  
MAYER, BROWN, ROWE & MAW LLP  
P.O. Box 2828  
Chicago, IL 60690-2828  
(312) 701-8593



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: application of:

Marcus Braun

Serial No.: 10/815,395

Filing Date: April 1, 2004

For: **SURGICAL INSTRUMENT**

**Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Group Art Unit: 3731

Examiner: UNKNOWN

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**  
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By: Timothy Hubalik

Signature of Person Mailing Papers

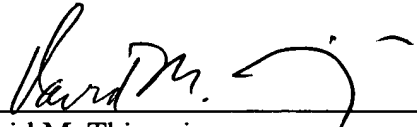
Dear Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 CFR 1.53(B) FILING DATE GRANTED**

In response to the enclosed NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b) FILING DATE  
GRANTED, dated June 17, 2004, Applicant respectfully submits the enclosed executed  
Declaration and Power of Attorney. Also, enclosed is a check in the amount of \$130.00 for the  
surcharge for filing the Declaration on a date later than the filing date of the application, as set  
forth in 37 C.F.R. 1.16(e).

If there are any fees due in connection with the filing of this statement, please charge the fees to our Deposit Account No. 13-0019.

Respectfully submitted,

By   
David M. Thimmig  
Attorney Reg. No. 36,034

Dated: August 18, 2004

Customer No. 26565  
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